



Town of Westminster

MASSACHUSETTS 01473
FROM THE OFFICE OF THE
PLANNING BOARD

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Gregg Buckman, Chair Marie Auger, vice chair Dan Bartkus Jodi Snyder Jacklyn Nally

NOTICE OF DECISION
PLANNING BOARD –
MODIFICATION to
WESTMINSTER BUSINESS PARK– PHASE II THEODORE DRIVE EXTENSION
WESTMINSTER OWNER LLC (Applicant/Owner)
WESTMINSTER BUSINESS PARK
March 7, 2023

1. Application

This document is the DECISION of the Westminster Planning Board (hereinafter the Board) to the Applicant Westminster Owner, LLC (hereinafter the Applicant) for property known as Theodore Drive. This Decision is in response to the applications for a modification to the Definitive Subdivision Approval dated April 9, 2007.

2. Applicant/Owner

Westminster Owner LLC
1900 Crown Colony Drive
Quincy, MA 02169

3. Location

Theodore Drive is located in the Industrial-I zoning district.

4. Board Action

After due consideration of the Application, the record of proceedings, and based upon the findings set forth below, on March 7, 2023 the Board voted to APPROVE the modification to the Definitive Subdivision approval. The record of the vote is stated as follows:

GREGG BUCKMAN	Abstained
MARIE AUGER	ABSENT
JODI SNYDER	YES
DAN BARTKUS	YES
JAQUILINE NALLY	YES

5. Proceedings

The Applicant filed an application for the modification on January 31, 2023. The public hearing date for this project was scheduled for February 28, 2023. The Hearing was postponed to March

7, 2023 due to predicted adverse weather, where the Board closed the hearing and voted on the application with Chairman Buckman abstaining.

The minutes of the public hearing and submissions on which this Decision are based, which together with this Decision constitute the record of the proceedings, may be reviewed at the Planning Department office of the Westminster Town Hall.

6. Findings

Based upon its review of the Application, exhibits, and the public hearing thereon, the Board makes the following findings and conclusions:

6.1 The subject property is 291.5 acres zoned Industrial-1 and Residential – II.

6.2 The applicant proposes to construct approximately 3,684 linear feet of roadway ending in a turnaround to provide frontage for 8 industrial lots and 13 Residential Lots.

6.3 The proposed improvements include installation of sewer, water, drainage, gas, and underground electric, cable, telephone and fired alarm.

6.4 The proposed design can accommodate 1.57 million square feet of industrial development and preserves 87.73 acres of industrial land for potential future development.

6.5 The proposed water system will be extended to Town Farm Road, providing a looped service. The proposed industrial lots will be serviced by a gravity sewer line. Future development of residential land will require a pumping station along the connecting road.

6.6 Town departments held a technical review meeting for this project on February 13, 2023 and all concerns have been addressed.

6.7 The applicant has addressed all comments from the Town's consulting engineer.

6.8 This property was the subject of a Site Readiness grant from Mass-Development 2018 to evaluate the property's infrastructure deficiencies in lieu of eventual development.

6.9 On December 15, 2021, the applicant, Thw Westminster Industrial Park owner and Town departments met with staff from MassDOT District #3 and Mass-Development to discuss planning for and funding the necessary improvements to the Route 2A/Depot Road intersection. Work to redesign the intersection is underway.

7. Exhibits

7.1. Subdivision submittal letter prepared by McCarty Engineering Inc., dated January 31, 2023.

7.2. Subdivision modification application packet "FORM B" prepared by McCarty Engineering Inc., dated January 31, 2023.

- 7.3. Set of Plans titled "Subdivision Modification Documents" prepared by McCarty Engineering Inc., dated January 31, 2022, modified February 27, 2023.
- 7.4. Stormwater Management Report prepared by McCarty Engineering Inc., dated January 31,
- 7.5. Planning Department review memo dated February 23, 2023.
- 7.6. Planning Board consulting engineer review memo dated February 21, 2023.
- 7.7. Applicant's response to consulting engineer review memo for site plan and stormwater management report dated March 2, 2023.
- 7.8. Planning Board consulting engineer review memo II dated March 6, 2023.

8. Decision

Upon closure of the March 7, 2023 hearing, the Planning Board voted 3-0-1 to approve the modification to the Definitive Subdivision Approval dated April 9, 2007 with the following Conditions of Approval:

Administrative provisions

- 8.1. Other approvals or permits required by the Zoning Bylaw, other governmental boards, agencies or bodies having jurisdiction, shall not be assumed or implied by this Decision.
- 8.2. The Board hereby reserves its powers to modify or amend the terms and conditions of this Approval upon its own motion with consent from the owner or the applicant, or on the Application of the owner or applicant. The Board further reserves its powers to amend this Approval without a new public hearing provided that the Board finds that such amendment is not significant to the public interest and that such amendment is not inconsistent with the purpose and intent of the Zoning Bylaw, Subdivision Control or with the terms of this Approval.
- 8.3. Approval shall lapse on March 7, 2025 if a substantial use thereof has not sooner commenced for good cause. Any request for an extension of the time limitation set forth herein shall be made in writing to the Board at least 30 days prior to March 7, 2025 and the Board reserves its rights and powers to grant or deny such request without a public hearing.
- 8.4. Except as otherwise set forth in this decision, Theodore Dr. shall be constructed in substantial conformance with the application documents submitted, including without limitation the plans entitled, "Sub-division Modification Documents," dated January 31, 2023, revised, February 1, 2023 and March ,2023 prepared by McCarty Engineering, Inc.
- 8.5. The Applicant will work with the Town to establish an inspection schedule based on construction milestones. The Town's engineering consultant will perform the inspections on behalf of the Board and the cost will be borne by the Applicant who will provide the Town with a check to cover the cost of this effort. The check will be deposited into an MGL 53G consulting account and any balance that remains after the

inspection effort will be returned to the Applicant. The Planning Board will provide copies of the inspection reports to the Applicant.

Traffic-Related Conditions

8.6. The Applicant will continue to work with the Town and MassDOT as to the design, permitting and construction of improvements to the intersection of Route 2A and Depot Road. Such improvements shall be subject to approval from MassDOT, the Planning Board and its peer review traffic consultant.

8.7. In the event that the traffic signal installation is not completed prior to the request for occupancy of Lot I-7 or Lot I-8, the Applicant shall install interim (temporary) traffic control measures (trimming, signage, striping) at the Depot Rd/Route 2A intersection, and such temporary measures should continue until such a time that a traffic signal or similar significant improvement can be installed. Such temporary measures are subject to review and approval by MassDOT and the DPW Director.

8.8. All truck traffic exiting the site will access Route 2 via Depot Road. All truck traffic from Route 2 will use Exit 94 to access Depot Road and then access the Westminster Business Park from the Route 2A/Depot Road intersection.

8.9. In the event that a traffic light is installed at the Route 2A/Depot Road intersection, the Westminster Business Park owners will work with MassDOT to install preemption devices for the benefit of emergency vehicles.

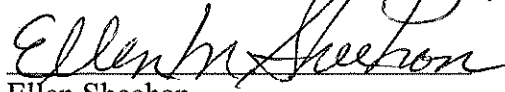
8.10. The Applicant shall design and construct intersection geometric and traffic control improvements at the Bathrick Rd./Theodore Dr. intersection prior to occupancy of Lot I-7 or Lot I-8. The design of such improvements shall be reviewed and approved by the DPW Director prior to construction.

8.11. The Applicant shall create an inventory of all existing conditions information for the intersection of Village Inn Road/Narrows Road intersection to identify safety deficiencies and propose necessary improvements to reduce crashes. Any improvements to the Village Inn Rd./Narrows Rd. intersection are subject to review and approval by MassDOT and the DPW Director.

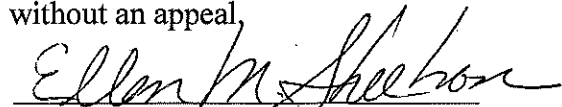
WITNESS my hand this 8th day of March, 2023.

On Behalf of the WESTMINSTER PLANNING BOARD


Jodi Snyder, Clerk


Ellen Sheehan
Westminster Town Clerk
Date March 9, 2023

I certify that 20 days has elapsed
without an appeal.


Ellen Sheehan
Westminster Town Clerk
Date March 30, 2023